

REMARKS

Claims 27-28 and 30-36 are pending in this application. By this Amendment, claims 27, 32 and 33 are amended. No new matter is added.

In the Office Action, claims 27-28 and 32-35 are rejected under 35 U.S.C. §103(a) over U.S. Patent No. 6,295,136B1 to Ono et al. ("Ono") in view of U.S. Patent No. 6,574,002 to Paczewitz. Additionally, claims 30-31 and 36 are rejected under 35 U.S.C. §103(a) over Ono in view of Paczewitz, further in view of Applicant's Admitted Prior Art (AAPA). These rejections are respectfully traversed.

Independent claims 27, 32 and 33 are amended to further clarify aspects of the invention. These changes are supported by, for example, Figs. 6A-B, Fig. 9, page 3, lines 7-11, page 21, lines 10-14, and page 15, line 2 to page 17, line 4.

The Office Action considers dialog box DB1 in Figure 5 and dialog box DB2 in Figure 6 of Ono to correspond to the claimed first window and second window, respectively. However, Ono teaches that dialog box DB1, as shown in Figure 5, is a box for setting properties. Ono also teaches that the dialog box DB2 shown in Figure 6 is opened by clicking a "more settings" button E15 in dialog box DB1 (col. 11, lines 40-47 and lines 61-62 and Figures 5-6). Accordingly, in accordance with the teachings of Ono, the dialog box DB 2 of Figure 6 may not be displayed unless "more setting" button E15 of dialog box DB1 is clicked. This means that activation of dialog box DB2 is dependent on an instruction received in the dialog box DB1 of Figure 5.

Based on this, Ono fails to teach or suggest the features that "the second window is displayed independently of displaying the first window." Ono further fails to teach or suggest the feature that "the second window is displayed...without any instruction by the user in the first window once the second window has been activated upon the instruction by the user via

selection in the first window." These features are both within amended claim 27 directed to a method of setting and corresponding claim 32 directed to a recording medium.

Paczewitz fails to overcome the deficiencies of Ono with respect to independent claims 27 and 32. In particular, Paczewitz teaches that when performing a print job, a user is provided with an opportunity to select parameters for the print job by opening a print dialog box 110 (Figure 2). This corresponds to the operation to display the first window in the claims. However, when the user selects an OK button 115 (believed to be OK button 113) in print dialog box 110, then a paper type pop-up dialog box 20, shown in Figure 3, is displayed so that the user can select the paper type (col. 3, lines 28-49). If the user selects OK button 23 in dialog box 20, the print job is executed. If the user selects a canceled print job button 24, the print job is canceled. If the user does not interact with the dialog box 20, the dialog box 20 will automatically close and the print job will start (col. 5, lines 12-21).

Paczewitz teaches that once box 26 of dialog box 20 is selected, the dialog box 20 will not appear for subsequent print jobs (*i.e.*, the dialog box 20 is disabled). However, only when a dialog box 20 is disabled and if a media type is two-sided printing will a dialog box 30 shown in Figure 4 appear before print driver 14 performs a print job (col. 5, lines 22-40).

As described above, the dialog box 20 of Figure 3 and the dialog box 30 of Figure 4 in Paczewitz are not displayed unless the OK button 113 in dialog box 110, shown in Figure 2 is selected. Namely, these dialog boxes 20 and 30 cannot be displayed unless a user instructs to start the print job.

To the contrary, the second window recited within independent claims 27 and 33 is a window that indicates special set data (such as window 30 in Figure 5 of Applicant's specification) that is confirmable or changeable by the user on the second window (page 16, line 17 to page 18, line 9). Even when the user confirms or changes the set data on window 30, the printing operation will not start. In order to start the printing, it is necessary to

perform another operation on a different window, such as for example, clicking OK button 101 in window 100 shown in Applicant's Figure 9 after the data set has been confirmed or changed by the user using the second window (window 30). See Applicant's flow chart in Figures 6A-6B, Figure 9 and the description on page 3, lines 7-11 and page 21, lines 10-14.

Thus, Paczewitz fails to teach or suggest a step of "instructing to start printing in a window that is different from the second window, based on an instruction by the user after the special set data has been confirmed or changed by the user in the second window" as now recited in amended claims 27 and 32.

Moreover, the Office Action considers box 20 in Paczewitz Figure 3 and box 30 in Paczewitz Figure 4 as the first and second windows, respectively. In particular, the Office Action points out on page 3, lines 15-17 of the Office Action that Paczewitz teaches that the second window 30 is activated for displaying when a printer driver starts operating. However, as discussed above, Paczewitz teaches that once the box 26 in dialog box 20 is selected, the dialog box does not appear for subsequent print jobs. This teaches that only when the dialog box 20 is disabled and if a media type for two-sided printing is the currently selected media type will the paper side selection dialog box 30 appear before printer driver 14 performs the print job (col. 3, lines 45-50 and col. 5, lines 38-40).

Based on this, when the dialog box 30 of Paczewitz is activated, the dialog box 20 has been disabled. Thus, the activation of dialog box 30 is dependent on the inactivation of the dialog box 20. Therefore, in Paczewitz, dialog box 30 considered by the Office Action to correspond to Applicant's second window is not displayed independently of display of the first window (Paczewitz's dialog box 20).

To the contrary, as recited in independent claims 27 and 32, the second window is displayed independently of displaying the first window. Thus, Paczewitz fails to overcome deficiencies of Ono.

Further, Paczewitz does not teach or suggest that the second window is displayed without any instruction by the user in a first window once the second window has been activated, as also recited in amended independent claims 27 and 32.

Because Paczewitz does not overcome the deficiencies of Ono with respect to independent claims 27 and 32, these claims and claims dependent therefrom are not obvious. Moreover, Applicant's admitted prior art does not overcome the deficiencies of Ono and Paczewitz with respect to independent claims 27 and 32.

With respect to independent claim 33, this claim now specifies that the printer is controlled to start printing based on an instruction by the user in a window that is different from the second window, after the special set data has been confirmed or changed in the second window. Claims 33 also recites that the second window is displayed "independently of displaying the first window without any instruction by the user in the first window once the second window has been activated."

As discusses above, Ono fails to teach or suggest that the second window is displayed independently of the first window or that the second window is displayed without any instruction by the user in the first window once the second window has been activated. Paczewitz similarly fails to teach or suggest that the second window is displayed independently of displaying of the first window or that the second window is displayed without any instruction by the user in the first window once the second window has been activated. Moreover, Paczewitz fails to teach or suggest instructing to start printing in an window that is different from the second window based on an instruction after the special set data has been confirmed or changed by the user, as recited in independent claim 33. Accordingly, independent claim 33 and claims dependent therefrom are not obvious from Ono and Paczewitz. The admitted prior art fails to overcome the deficiencies of Ono and Paczewitz with respect to independent claim 33.

Accordingly, withdrawal of the outstanding rejections is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 27-28 and 30-36 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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